

1 Adopt 2 Cal Code Regs. Section 18215.3 to read:

2 **§ 18215.3. Behested Payment Reports.**

3 This regulation applies to the report required under Section 82015(b)(2)(B)(iii), which  
4 shall be known as a “behested payment report.”

5 (a) General Rule. An elected officer or member of the California Public Utilities  
6 Commission must file a behested payment report when, at his or her behest, either of the  
7 following occurs:

8 (1) A person makes a payment or payments aggregating to \$5,000 or more in a calendar  
9 year principally for a legislative, governmental or charitable purpose.

10 (2) The elected officer or member of the California Public Utilities Commission has  
11 already filed a behested payment report, as described in paragraph (1), for a payment or  
12 payments made by a person in a calendar year and the same person makes additional payments  
13 of any amount in the same calendar year principally for a legislative, governmental or charitable  
14 purpose.

15 (b) Contents of Behested Payment Report. A behested payment report must be filed on a  
16 form provided by the Commission and contain all of the following information:

17 (1) The name, agency, agency address, and agency telephone number of the elected  
18 officer or member of the California Public Utilities Commission, and the name and title of a  
19 contact person at the agency.

20 (2) The name and address of the payor.

21 (3) The name and address of the payee.

22 (4) The amount of the payment(s).

23 (5) The date(s) on which the payment(s) was made.

1       (6) Whether the payment was a monetary donation or an in-kind donation of goods or  
2 services and, if the latter, a brief description of the goods or services provided or purchased.

3       (7) Whether the payment(s) was for a legislative, governmental, or charitable purpose and  
4 a brief description of that purpose.

5       (8) The verified signature of the elected officer or member of the California Public  
6 Utilities Commission.

7       When a person holds an event at the behest of an elected officer or member of the Public  
8 Utilities Commission, the elected officer or member of the Public Utilities Commission may  
9 report the person's payments for the event in total, rather than itemizing individual expenditures  
10 the person makes for the event.

11       If a payment is made at the behest of more than one elected officer or member of the  
12 California Public Utilities Commission, each elected officer or member of the California Public  
13 Utilities Commission must report the full payment amount, but may state there were multiple  
14 officials who behested the payment.

15       (c) When and Where to File the Behested Payment Report. The elected officer or  
16 member of the California Public Utilities Commission must file the behested payment report  
17 with his or her agency within 30 days of the payments' meeting the applicable monetary  
18 threshold in subdivision (a). A local agency must forward the report to the officer with whom  
19 elected officers of that agency file their campaign statements within 30 days after the local  
20 agency receives the report. A state agency must forward the report to the Commission within 30  
21 days after the state agency receives the report. In addition to any other laws governing the  
22 disclosure of public records, behested payment reports are public records subject to inspection  
23 and copying in accordance with Section 81008(a).

1        (d) Website Posting of Behested Payment Reports. Within 30 days after the payments  
2 reach the threshold amount in subdivision (a), the elected officer must post the report or all of the  
3 information contained within the report, in a prominent place on the website of the agency to  
4 which he or she was elected, and a member of the California Public Utilities Commission must  
5 post the report on that agency's website. If an elected officer's agency does not maintain a  
6 website, the officer with whom the official files his or her campaign statements must post the  
7 report in the same manner. If neither agency has a website, the filing officer must send the  
8 information to the Commission and the Commission will post a copy of the form or information  
9 from the form on its website.

10 Note: Authority cited: Section 83112 Government Code. Reference: Section 82015  
11 Government Code.